

## **APPENDIX 5 ADMINISTRATION AND FINANCE**

### **I. INTRODUCTION**

#### **Purpose**

To provide guidance to state agencies, local jurisdictions, and organizations on administrative matters necessary to support operations during emergencies or disasters, and to preserve vital records.

### **II. CONCEPT OF OPERATIONS**

- A. State agencies and local jurisdictions or organizations with emergency management responsibilities will establish, maintain, and protect vital records under a record retention program as defined in RCW 40.10.010. Records include, but are not limited to, files of directives and forms.
- B. Reports are required from state agencies and local jurisdictions or organizations to provide the Governor, the Washington State Military Department, Director for the Emergency Management Division (EMD), and other governmental officials with information concerning the nature, magnitude, and impact of an emergency or disaster, and for use in evaluating and providing the most efficient and appropriate emergency or disaster response assets and services. See Emergency Support Function (ESF) 23, Damage Assessment. Reports required include, but are not limited to:
  - 1. Situation Reports.
  - 2. Proclamations of Emergency requested.
  - 3. Requests for Assistance.
  - 4. Damage Assessment Reports.
- C. State EMD will use emergency workers as outlined in state law. "Emergency Worker" is defined in RCW 38.52.010(4), and rules and regulations concerning workers are outlined in RCW 38.52.310. Volunteer members of an official emergency response team may take 15 days civil leave to assist in search and rescue efforts. Chapter 118.04 WAC covers the Emergency Worker Program in detail.
- D. Liability coverage
  - 1. The state EMD Incident Numbers (Mission or Disaster Incident Number Series) are assigned to local jurisdictions for all actions taken that are intended to protect life, property, and the environment during the incident period of any given event. They will be used by each local jurisdiction for the duration of the incident and the recovery period.

2. Equipment and vehicles should only be used by trained, qualified personnel. Personal property not relevant to the mission will not be considered for compensation coverage.
- E. Repair and restoration of damaged facilities, which are new facilities, or an expansion of, or addition to, an existing facility may require an environmental impact study or permit prior to final project approval. Statutes and regulations that apply include, but are not limited to, the following:
1. Chapter 75.20 RCW, Construction Projects in State Waters.
  2. Chapter 76.09 RCW, Forest Practices.
  3. Chapter 86.16 RCW, Flood Plain Management.
  4. Chapter 173-14 WAC, Permits for Substantial Developments on Shorelines of the State.
  5. WAC 197-11-880, Guidelines Interpreting and Implementing the State Environmental Policy Act.
- F. In instances where emergency work is performed to protect life and property, requirements for environmental review and permits may be waived or orally approved as per the following statutes and regulations:
1. Construction Projects in State Waters (Hydraulic Projects or Other Works) RCW 75.20.100.
  2. Forest Practices Act (Application for Forest Practices) RCW 76.09.060.
  3. Flood Plain Management (Processing of Permits and Authorizations for Emergency Water Withdrawal and Facilities to be Expedited), RCW 86.16.180.
  4. Shorelines Management Act (Shorelines Permit) WAC 173.14.040.(2).(3).
  5. State Environmental Policy Act (SEPA), (Exceptions for Emergency Actions) WAC 197.10.180.
- G. Many structures, archaeological sites, or properties of historical significance are protected by law. Non-time-critical missions and recovery actions affecting such protected areas will be coordinated with the Department of Community, Trade and Economic Development, Office of Archaeology and Historic Preservation.
- H. The state's program of non-discrimination in disaster assistance will be carried out in accordance with Title 44 CFR, Section 205.16. This program will encompass all state and local jurisdiction actions to the Federal/State Agreement.
1. Federal financial assistance to the states or their political subdivisions is conditional on full compliance with Title 44 CFR, Part 205.

2. All personnel carrying out federal major disaster or emergency assistance functions, including the distribution of supplies, the processing of applications, and other relief and assistance activities, shall perform their work in an equitable and impartial manner, without discrimination on the grounds of race, religion, sex, color, age, economic status, or national origin.
3. As a condition of participation in the distribution of assistance or supplies under PL 93-288, government bodies and other organizations shall provide a written assurance of their intent to comply with regulations relating to nondiscrimination promulgated by the President or the administrator of the Federal Emergency Management Agency (FEMA), and shall comply with such other regulations applicable to activities within an area affected by a major disaster or emergency as the administration of FEMA deems necessary for the effective coordination of relief efforts.
4. The provisions of Title 44 CFR, Section 205.16 concerning non-discrimination in disaster assistance shall be included in this document by reference.
5. The provisions of Chapter 49.60 RCW, "Discrimination - Human Rights Commission," shall be included in this document by reference.

### **III. EMERGENCY FINANCIAL MANAGEMENT OPERATIONS**

- A. Emergency expenditures are not normally integrated into the budgeting process of state and local jurisdictions. Nevertheless, events occur on a periodic basis requiring substantial and necessary unanticipated obligations and expenditures.
- B. State agencies will follow emergency procedures outlined in RCW 43.88.250, Emergency Expenditures. Whenever an emergency necessitates an expenditure for the preservation of peace, health, or safety, or for the carrying out of the necessary work required by law of any state agency for which insufficient appropriations have not been made, the head of such agency shall submit to the Governor's designee duplicate copies of a sworn statement, setting forth the facts constituting the emergency and the estimated amount of money required. If the Governor's designee approves such estimates, in whole or in part, the designee shall endorse each copy of the statement, together with a statement of the amount approved as an allocation from any appropriation available for allocation for emergency purposes and transmit one copy to the head of the agency thereby authorizing the emergency expenditures.
- C. Emergency purchases by state agencies shall be made in accordance with RCW 43.19.200.
- D. Local jurisdictions will incur disaster-related obligations and expenditures in accordance with the provisions of RCW 38.52.070(2) and appropriate state statutes as follows:
  1. Cities under 300,000 population - Chapter 35.33 RCW.

2. Cities over 300,000 population - Chapter 35.32A RCW.
  3. Counties - Chapter 36.40 RCW.
- E. Records will be kept in such a manner to separately identify event related expenditures and obligations from general programs and activities of state agencies and local jurisdictions or organizations.
- Complete and accurate records are necessary:
1. To document requests for assistance.
  2. For reimbursement under approved applications pertaining to declared emergencies or major disasters.
  3. For audit reports, detailed records will be kept from the onset of the event that include, but are not limited to:
    - a. Work that is performed by force account.
      - (1) Appropriate extracts from payrolls, with any cross-references needed to locate original documents.
      - (2) A schedule of equipment used on the job.
      - (3) Invoices, warrants, and checks issued and paid for materials and supplies used on the job.
    - b. Work that is contracted out.
      - (1) Copies of requests for bids.
      - (2) The contract that is let.
      - (3) Invoices submitted by the contractor.
      - (4) Warrants authorizing check issuance.
    - c. Work done under inter-community agreements and mutual aids.
- F. Disaster-related expenditures and obligations of state agencies and local jurisdictions and organizations may be reimbursed under a number of federal programs. The federal government may authorize reimbursement of approved costs for work performed in the restoration of certain public facilities after a major disaster declaration by the President of the United States under the statutory authority of certain federal agencies.
- G. Audits of state and local jurisdiction emergency expenditures will be conducted in the course of normal audit of state and local governments. Audits of projects approved for funding with federal disaster assistance funds are necessary to determine the eligibility of the costs claimed by the applicant.

#### **IV. CEMP PLAN CHANGES, MAINTENANCE, AND REVIEW PROCESS**

- A. Proposed changes to this plan will be accepted at anytime, especially after a major emergency or disaster, or anytime a key element changes. See CEMP Suggestions Form, page v.
- B. Plan changes will be published annually either using an entire new publication, by subsection, or by publishing only those pages that have changed on a Record of Revisions form.
- C. The normal review period will be every four years. It is the intent of state EMD, to conduct a formal review of 25 percent of the plan each year and publish the appropriate changes annually.
- D. Changes to the ESFs will be coordinated and approved by the joint primary or primary agency. The approved changes will be provided to the state EMD for publication and distribution. It is not necessary to have changes to the ESF approved by the Governor, unless major changes in the Concept of Operations have been made. The determination of a major change is the discretion of the primary agency.
- E. Changes to the Basic Plan and Appendices will be coordinated with the appropriate state agencies and approved by the Director for the state EMD. The state EMD will then be responsible for the publication and distribution of the changes. It is not necessary to have changes to the Basic Plan or Appendices approved by the Governor, unless major changes in the Concept of Operations have been made. The determination of a major change is the discretion of the Director for the state EMD.

#### **V. REFERENCES**

See Basic Plan.

#### **VI. TERMS AND DEFINITIONS**

Force Account: The work on a grant or loan project performed more efficiently and economically by using labor, materials, or equipment of a public body or governmental entity.